

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN-NORTHERN DIVISION**

In Re:
**CHRISTOPHER DONALD NIERNBERG and
TONYA MARIE NIERNBERG,**
Debtor(s),

Chapter 13
Hon. Daniel S. Opperman
Case No. 09-23473

**CHRISTOPHER DONALD NIERNBERG and
TONYA MARIE NIERNBERG,**

Plaintiff(s),

vs.

Adv. Pro. Case No. 09-02125

GMAC MORTGAGE CORPORATION,

Defendant(s).

**JUDGMENT BY DEFAULT AGAINST DEFENDANT
GMAC MORTGAGE CORPORATION**

Default was entered against defendant GMAC Mortgage Corporation on November 3, 2009. Therefore, on motion of the plaintiffs, judgment is entered against the defendant GMAC Mortgage Corporation, in favor of the plaintiffs as follows:

IT IS ORDERED that upon completion of the debtor's Chapter 13 plan and the entry of a Chapter 13 discharge order in bankruptcy case number 09-23473, the mortgage ("Mortgage") dated February 12, 2007, covering the following described property ("Property") situated in the City of Standish, County of Arenac, State of Michigan , and further described as follows:

The East ½ of Lot 2 and all of Lot 3, Block 5, Orchard Lane
Subdivision, according to the recorded plat thereof, Arenac County
Records,

recorded in the Arenac County Register of Deeds on February 27, 2007, Liber 507, Page 722, will be stripped from the Property and discharged.

IT IS FURTHER ORDERED that upon completion of the debtors' Chapter 13 plan and the entry of a Chapter 13 discharge order in bankruptcy case number 09-23473, the debtors may record a certified copy of this order, with a copy of the debtors' Chapter 13 discharge order attached, with the County Register of Deeds, which will constitute and effectuate the discharge of the Mortgage.

IT IS FURTHER ORDERED that if the debtors fail to complete the debtors' Chapter 13 plan and obtain a Chapter 13 discharge order in bankruptcy case number 09-23473, this order does not affect the validity or enforceability of the Mortgage and may not be used in any subsequent bankruptcy case of the debtors either to compel the holder of the Mortgage to execute a discharge of the Mortgage, or to otherwise act as a discharge of the Mortgage.

Signed on November 12, 2009

 /s/ Daniel S. Opperman
Daniel S. Opperman
United States Bankruptcy Judge